

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

DUPRAY et al.

Serial No.: 09/770,838

Filed: January 26, 2001

Atty. File No.: 1003-1

For: A GATEWAY AND HYBRID
SOLUTIONS FOR WIRELESS
LOCATION

Assistant Commissioner for Patents
Washington, D.C. 20231

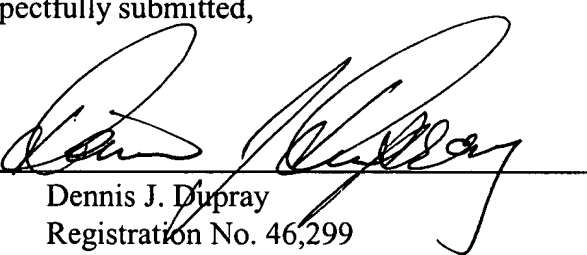
Dear Sir:

Applicants respectfully request consideration of the Information Disclosure Statements filed

November 26, 2003, March 26, 2004 and April 21, 2004, copies of which are enclosed.

Respectfully submitted,

By:


Dennis J. Dupray
Registration No. 46,299
1801 Belvedere Street
Golden, Colorado 80401

TELEPHONE: 303-863-2975

FAX: 303-863-0223

Date:

MAY 28, 2004

) Group Art Unit: 3662

) Examiner: Dao L. Phan

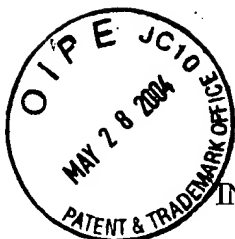
) REQUEST FOR CONSIDERATION OF
) INFORMATION DISCLOSURE
) STATEMENTS

) "EXPRESS MAIL" MAILING LABEL NUMBER: EV331284169US
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) BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450.

TYPED OR PRINTED NAME: AIMEE M. THUERK

Aimee M. Thuerk



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Serial No.: 09/770,838

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SOLUTIONS FOR WIRELESS
LOCATION

) Group Art Unit: 3662

) Examiner: Dao L. Phan

) INFORMATION DISCLOSURE STATEMENT

) *EXPRESS MAIL* MAILING LABEL NUMBER: EV331284331US
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) FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450.

) TYPED OR PRINTED NAME: Aimee Thuerk
) SIGNATURE: Aimee Thuerk

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

☐ Are enclosed herewith.

☒ Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were submitted to the U.S. Patent and Trademark Office in prior application Serial No. 09/194,367 filed November 24, 1998, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

☐ To the best of applicants' belief, the pertinence of the foreign-language references is believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

☒ Examiner's attention is drawn to the following co-pending applications, and for at least such applications to which the present application does not claim priority, copies have been or are being submitted:

| | | |
|-----------------------|-------|-------------------------------------|
| Serial No. 09/194,367 | filed | Nov. 24, 1998 (docket no. 1003-PUS) |
| Serial No. 10/262,413 | filed | Sept. 30, 2002 (docket no. 1003-2) |
| Serial No. 10/262,338 | filed | Sept. 30, 2002 (docket no. 1003-3) |
| Serial No. 09/820,584 | filed | March 29, 2001 (docket no. 1004-1) |
| Serial No. 09/176,587 | filed | Oct. 21, 1998 (docket no. 1005-DJD) |

Serial No. 10/297,449

filed Dec. 5, 2002 (docket no. 1010-PUS)

Serial No. 10/337,807

filed Jan. 6, 2003 (docket no. 1011)

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

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FEES

| | |
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| <input checked="" type="checkbox"/> | <p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith satisfies one of the following conditions ("X" indicates satisfaction):</p> <p><input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or</p> <p><input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or</p> <p><input type="checkbox"/> Before the mailing date of a first Office Action on the merits, or</p> <p><input checked="" type="checkbox"/> Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114.</p> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p> |
| <input type="checkbox"/> | <p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <p>(1) a final action under 37 C.F.R. 1.113 or</p> <p>(2) a notice of allowance under 37 C.F.R. 1.311, or</p> <p>(3) an action that otherwise closes prosecution in the application.</p> <p>This Information Disclosure Statement is accompanied by:</p> <p><input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p> <p>OR</p> <p><input type="checkbox"/> A check in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p> |
| <input type="checkbox"/> | <p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <p><input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)</p> <p>AND</p> <p><input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.</p> |

Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

Dennis J. Dupray

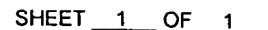
Registration No. 46,299

1560 Broadway, Suite 1200

Denver, Colorado 80202-5141

(303) 863-9700

Date: April 21, 2004

U.S. PATENT DOCUMENTSFOREIGN PATENT DOCUMENTS

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Dupray et al.

Serial No.: 09/770,838

Filed: January 26, 2001

Atty. File No.: 1003-1

For: A GATEWAY AND HYBRID
SOLUTIONS FOR WIRELESS
LOCATION

) Group Art Unit: 3662

) Examiner: Dao L. Phan

) INFORMATION DISCLOSURE STATEMENT

) "EXPRESS MAIL" MAILING LABEL NUMBER: EV331283849US
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) TYPED OR PRINTED NAME: AIMEE M. THUERK

) SIGNATURE: Aimee M. Thuerk

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

☒ Copies of the references marked with an asterisk are enclosed herewith.

☒ The remaining references are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were submitted to the U.S. Patent and Trademark Office in prior application Serial No. 09/194,367 filed November 24, 1998, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

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Serial No. 09/820,584 filed March 28, 2001

Serial No. 10/262,413 filed September 30, 2002

Serial No. 10/262,338 filed September 30, 2002

Serial No. 09/176,587 filed October 21, 1998

Serial No. 10/297,449 filed December 5, 2002

Serial No. 10/337,807 filed January 6, 2003

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(Applicable only if checked)

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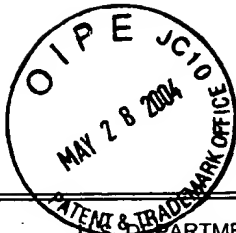
Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

Dennis J. Dupray
Registration No. 46,299
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: Nov. 26, 2003



SHEET 1 OF 2

| | | |
|--|---------------------------------|--------------------------|
| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | ATTY. DOCKET NO. 1003-1 | SERIAL NO. 09/770,838 |
| | APPLICANT DUPRAY, Dennis J. | |
| | FILING DATE January 26, 2001 | GROUP ART 3662 |

U.S. PATENT DOCUMENTS

| *EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB CLASS | FILING DATE IF APPROP. |
|----------------------|-----|-------------------------------|----------|------------------|-------|--------------|---------------------------|
| | AA* | 6,549,130 | 4/15/03 | Joao | 340 | 539 | |
| | AB | 6,381,464 | 4/30/02 | Vannucci | 455 | 456 | |
| | AC | 6,330,452 | 12/11/01 | Fattouche et al. | 455 | 456 | |
| | AD | 6,243,587 | 6/5/01 | Dent et al. | 455 | 456 | |
| | AE* | 5,917,405 | 6/29/99 | Joao | 340 | 426 | |
| | AF | 5,594,425 | 1/14/97 | Ladner et al. | 340 | 825.06 | |
| | AG | 4,542,744 | 9/24/85 | Barnes et al. | 128 | 660 | |
| | AH* | Application No. 10/337,807 | | Dupray | | | 1/6/03 |
| | AI* | Application No. 10/297,449 | | Dupray | | | 12/6/02 |
| | AJ* | Application No. 09/176,587 | | Dupray | | | 10/21/98 |

FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUB CLASS | TRANSLATION | |
|--|--|--------------------|------|---------|-------|--------------|-------------|----|
| | | | | | | | YES | NO |
| | | | | | | | | |

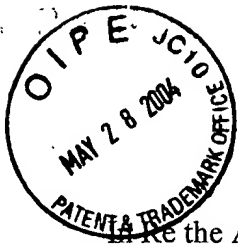
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| | | |
|--|----|--|
| | AK | Smith, Jr., "Passive Location of Mobile Cellular Telephone Terminals," IEEE, CH3031-2/91/0000-0221, 1991 pp. 221-225 |
| | | |
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) Examiner: Dao L. Phan

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Respectfully submitted,

SHERIDAN ROSS P.C.

By: 

Dennis J. Dupray
Registration No. 46,299
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: MARCH 25, 2004

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|----------------------|-----|--------------------|----------|-------------------|-------|--------------|---------------------------|
| | 1. | 5,857,181 | 1/5/99 | AUGENBRAUN | 707 | 2 | |
| | 2. | 5,787,235 | 7/28/98 | SMITH et al. | 395 | 50 | |
| | 3. | 5,625,748 | 4/29/97 | McDONOUGH et al. | 395 | 2.6 | |
| | 4. | 5,581,490 | 12/3/96 | FERKINHOFF et al. | 364 | 578 | |
| | 5. | 5,563,931 | 10/8/96 | BISHOP et al. | 379 | 59 | |
| | 6. | 5,402,524 | 3/28/95 | BAUMAN et al. | 395 | 50 | |
| | 7. | 5,373,456 | 12/13/94 | FERKINHOFF et al. | 364 | 574 | |
| | 8. | 5,233,541 | 8/3/93 | CORWIN et al. | 364 | 516 | |
| | 9. | 5,045,852 | 9/3/91 | MITCHELL et al. | 341 | 51 | |
| | 10. | 4,542,744 | 9/24/85 | BARNES et al. | 128 | 660 | |
| | | | | | | | |

FOREIGN PATENT DOCUMENTS

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|--|--|--------------------|------|---------|-------|--------------|-------------|----|
| | | | | | | | YES | NO |
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| FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) | ATTY. DOCKET NO. 1003-1 | SERIAL NO. 09/770,838 |
| | APPLICANT DUPRAY, Dennis J. | |
| | FILING DATE January 26, 2001 | GROUP ART 3662 |

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

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